

HON'BLE SHRI G.S. SINGHVI, THE CHIEF JUSTICE
AND
HON'BLE SHRI JUSTICE C.V. NAGARJUNA REDDY

Writ Petition No.7554 of 2007

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Between:

Sambana Venkatamma & others

..... Petitioners

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And

The Delimitation Commission,
Rep. by its Chairperson,

..... Respondent

:: ORDER ::

Counsel for the petitioners : Smt. P. Rajeswari

13.04.2007

Per G.S. SINGHVI, C.J.

In this petition filed as a piece of public interest litigation, the petitioners have prayed for issue of a direction to the Delimitation Commission, New Delhi (the respondent herein) to consider the representations dated 26-2-2007 and 9-3-2007 made by them and pass appropriate order for inclusion of Balijapeta Mandal in Bobbili Assembly Constituency and exclusion thereof from the proposed geographical limits of Parvathipuram Assembly Constituency.

We have heard Smt. P. Rajeswari and perused the record. In our opinion, the writ petition is liable to be dismissed because the petitioners did not make representations before the cut-off date fixed by the respondent. A perusal of notice dated 22-1-2007 (Ex.P4) shows that the objections to the proposals made by the respondent could be

submitted/filed on or before 5-2-2007 and, as per their own showing, the petitioners filed objections in the form of representations dated 26-2-2007 and 9-3-2007. Therefore, a writ in the nature of mandamus cannot be issued to the respondent to consider their objections.

There is another reason for our disinclination to entertain the writ petition. As per the petitioners' own showing, the respondent has not finalised the boundaries of various Assembly segments including Bobbili and Parvathipuram. Therefore, this Court cannot issue any direction by assuming that Balijipeta Mandal will be included in the particular Assembly Constituency. With the above observations, the writ petition is dismissed leaving the petitioners free to avail appropriate legal remedy as and when final notification is issued by the respondent.

As a sequel to dismissal of the writ petition, WPMP No.9687 of 2007 filed by the petitioners for issue of a direction to the respondent to pass orders on the objections filed by them in the form of representations made to the Commission is disposed of as infructuous.

G.S.SINGHVI, C.J.

C.V.NAGARJUNA REDDY, J.

April 13, 2007

svs